

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

DEANEDRA SADLER,

Plaintiff,

v.

UNITED STATES OF AMERICA; UNITED  
STATES POSTAL SERVICE,

Defendants.

No. 3:22-cv-05421

COMPLAINT FOR DAMAGES  
UNDER FEDERAL TORT CLAIMS ACT

The plaintiff, by and through her attorney of record, Erik Ladenburg, of LADENBURG  
LAW, alleges and complains as follows:

**I. INTRODUCTION**

1.1 This is an action against Defendant United States of America under the  
Federal Tort Claims Act, (28 U.S.C. §2671, et seq.) and 28 U.S.C. §1346(b)(1), arising out of  
a motor vehicle collision.

1.2 Plaintiff bring the claims herein against Defendants pursuant to the Federal  
Tort Claims Act (28 U.S.C. §2761, et seq.) and 28 U.S.C. §1346(b)(1), for money damages  
as compensation for personal injuries caused by Defendants' negligence.



2.5 Plaintiff Deandra Sadler was at all times relevant hereto a resident of Gresham, Oregon.

### III. JURISDICTION AND VENUE

3.1 This court has jurisdiction over the subject matter and the parties involved herein.

3.2 Venue is proper in the Western District of Washington because this action arises from an automobile collision occurring on or about June 13, 2020 in Pierce County, State of Washington, involving an agent and/or employee of Defendant UNITED STATES OF AMERICA and/or the UNITED STATES POSTAL SERVICE.

3.3 This Court has jurisdiction because this action arises under The Federal Tort Claims Act, 28 U.S.C. § 1346(b) and §§ 2671-2680.

3.4 The amount in controversy in this matter exceeds the minimal jurisdictional amount required for the Court's jurisdiction.

3.5 On or about May 7, 2021 Plaintiffs properly presented their claims set forth herein via administrative claim forms to Defendant UNITED STATES POSTAL SERVICE pursuant to 28 U.S.C. § 2675.

3.6 The claim was denied as a matter of law because the Defendants have failed to make a final disposition of Plaintiffs' claims within six (6) months after their receipt by Defendants. This action was duly commenced within six (6) months of the denial of Plaintiffs' claims.

### III. FACTS

3.1 On or about 6/13/2020, Plaintiff Deandra Sadler traveling westbound on 6<sup>th</sup> Avenue in Tacoma, Washington.

3.2 Raymond Kaperick, an employee and agent of Defendant United States of America and acting on behalf of the United States of American was traveling south on Martin Luther King Jr Way in Tacoma, Washington when he failed to stop for a red light at the intersection with 6<sup>th</sup> Avenue.

3.3 Mr. Kaperick's vehicle collided with Plaintiff's vehicle as she drove though the intersection on a green light.

3.4 Mr. Kaperick's actions were negligent and caused the collision with the Plaintiff's vehicle.

3.5 Mr. Kaperick's, as agent of Defendant United State of American, was driving in a negligent, reckless and careless manner and failed to exercise due care and caution to avoid collision or injury to others.

3.6 The actions of defendant United States of America, through its employee and agent were a proximate cause of the injuries and damages to Plaintiff.

3.7 Mr. Kperick was employed by and/or acting on behalf of defendant, UNITED STATES OF AMERICA at the time of the collision. Defendant is responsible for the negligent acts of its employees and agents under *respondeat superior*.

### IV. DAMAGES

4.1 As a direct and proximate result of the collision due to the negligent acts and omissions on part of defendant, plaintiff suffered bodily injury causing special and general damages.

WHEREFORE, plaintiff prays for judgment against defendants as follows:

2. For past lost wages and future wage loss incurred as a result of the injuries caused by the negligence of defendant.

5. For costs and disbursements herein to be taxed according to law.

LADENBURG LAW

Ed. H. Zeller

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